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SIPDIS

STATE FOR INL PRAHAR, MCCOWAN, HOOKER; EUR/ACE (MLONGI);
EUR/CACEN (JMUDGE)

JUSTICE FOR OIA, AFMLS, AND NDDS

TREASURY FOR FINCEN AND OTA

DEA FOR OILS AND OFFICE OF DIVERSION CONTROL

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SUBJECT: KAZAKHSTAN: 2005-2006 INTERNATIONAL NARCOTICS
CONTROL STRATEGY REPORT, PART 1

REF: STATE 209561

1. In response to reftel instructions, the text of Part 1 of the 2005 International Narcotics Control Strategy Report for Kazakhstan follows:

SUMMARY

2. Despite the efforts of law enforcement agencies, Kazakhstan continues to be an important narcotics transit country, especially for drugs coming out of Afghanistan. The Ministry of the Interior's Committee on Combating and Controlling Narcotics estimates that approximately 1,400 tons of Afghanistan's heroin will move through Kazakhstan this year via the northern Afghan route (Uzbekistan-Kyrgyzstan-Kazakhstan). It is also estimated that approximately 10% of these drugs will be sold in Kazakhstan. According to data provided by the Committee, more than 19 tons of narcotics, including 130 kilograms of heroin, have been seized since the beginning of this year. Kazakhstan is a party to the 1988 UN Drug Convention. END SUMMARY

STATUS OF COUNTRY

3. While there is some production of narcotics in Kazakhstan, it is primarily a transit country. Although Kazakhstan's existing small-scale cultivation of marijuana and opium suggest that it could become a major producer of narcotics in the future, evidence continues to suggest that local production is minimal at present. The Committee's statistics for the first nine months of 2005 show that the annual "Operation Poppy" campaign only eradicated approximately 15,271 square meters of illicit poppy and marijuana cultivation. There were no discoveries of laboratories for the production of narcotics announced this year.

4. According to the Committee for National Security (KNB), its operations have uncovered two new routes of movement for opiates and heroin transiting the country: Kyrgyzstan-Kazakhstan-China-Australia and Afghanistan-Tajikistan-Kazakhstan-Russia-Japan. In addition, the KNB continues to monitor the long established route through Russia to Western Europe. During the KNB's operation "Trap" this year, more than 1,250 kilograms of opium and more than 200 kilograms of heroin were seized from an internationally operated narcotics ring led by a Kazakhstani citizen of Tajik descent. The ring laundered the proceeds received from the sale of narcotics by creating fictitious contracts supposedly related to the sale of wheat and flour. The KNB traced this laundered money to bank accounts in Germany and the Baltic countries. In an August 2005 article published in Izvestiya-Kazakhstan newspaper, a KNB official was quoted as saying that the investigation of only one of these bank accounts turned up more than \$1.6 million from the sale of narcotics that had been transferred abroad. The KNB is currently working on investigating the international ring and freezing its assets abroad.

III. COUNTRY ACTIONS AGAINST DRUGS IN 2005

5. POLICY INITIATIVES: Presently, Kazakhstan is in its fifth year of its five-year plan to fight drug trafficking. On March 3, 2004, the President signed a decree that established the Committee on Combating and Controlling Narcotics within the Ministry of the Interior. This DEA-like office coordinates efforts among law enforcement entities, analyzes developing trends in the trafficking and consumption of narcotics, initiates legal reform and drafts

statues pertaining to the narcotics problem in Kazakhstan, interacts with the mass media and the press to inform the public on counter-narcotics efforts taken by the Committee and other governmental agencies, and engages with international counterparts through the national branch of Interpol. The Committee's staff is comprised of 580 officers.

16. The Committee has been operational for more than a year, and it is already responsible for more than its present staff can handle. According to the Head of the Committee, Vice Minister Vyborov, only 13 officers are engaged in serious investigative work related to the elimination of major narcotics channels. Vice Minister Vyborov also noted that the work of the Committee over the last year has increased five times and that the Committee's staff must tackle a variety of tasks ranging from submitting tenders for narcotics search equipment to conducting undercover work. To help the Committee to effectively conduct counter-narcotics efforts, the Prime Minister of the Republic of Kazakhstan suggested increasing the Committee's staff by 171 officers and to fund this staff increase out of next year's MIA budget. The MIA requested \$16.5 million for its new three-year counter-narcotics program including over \$5 million for first-year operations in 2006.

17. In a November 2005 interview with the Kazakhstanskaya Pravda newspaper, Vice Minister Vyborov called for urgent legal reform to assist the Committee in its work. According to Vyborov, the country needs stricter legal punishments for those involved in drug trafficking and the sale of narcotics, especially to minors. During a Governmental meeting chaired by the Prime Minister, the Minister of the Interior announced that 2,626 people had been convicted of narcotics-related charges in 2004, but one in every four was given a suspended sentence. He also stressed the prevalence of repeat offenders, noting that every fifth offence was committed by a previously-convicted criminal. Furthermore, he noted that only one of the 316 criminals convicted in 2004 for serious narcotics offenses received the maximum sentence of 15 years of imprisonment. On average, narcotics dealers only receive a sentence of three years imprisonment. Moreover, a majority of convicted criminals are paroled and released early without serving a complete sentence.

18. In order to address these shortcomings, the MIA initiated changes to the Law of the Republic of Kazakhstan on "Narcotics, psychotropic substances, precursors, and countermeasures to illegal consumption" in 2005. More specifically, the Committee's recommendations include stricter sentences for narcotics barons and narcotics dealers as well as more regulated procedures for the destruction of seized narcotics to eliminate its leakage back into the market. The Prime Minister supported these proposed changes and promised the MIA that the GOK will expedite the amendments to the legislation.

19. This legislative initiative is part of the first stage of the Government's anti-narcotics program for 2006-2014. Another major policy initiative taken by the Committee is the creation of an internal narcotics checkpoint system entitled "Narcotics Boundaries." The Committee plans to establish six checkpoints to search vehicles on six major highway intersections and three checkpoints at railroad stations. Construction of the structures at these checkpoints will be directly funded by INL or via an INL grant to UNODC. According to Vice Minister Vyborov, substantial quantities of narcotics rarely enter or leave the country via official state border crossings, but they almost always cross the country via major highways. The GOK has allocated more than \$700,000 for the "Narcotics Boundaries" program. According to Vyborov, each of the nine "Boundary" posts will be manned by a Committee officer, a road patrol officer, a migration police officer, and a dog handler. Three of the checkpoints are partially funded by INL.

10. On July 8, 2005, the GOK signed the "Additional Protocol to the Memorandum of Understanding on Narcotics Control and Law Enforcement between the Government of the United States of American and the Government of the Republic of Kazakhstan" (ALOA). This agreement established a framework for the implementation of projects designated to improve the capacity of Kazakhstani law enforcement agencies to combat narcotics trafficking and organized crime. The agreement includes the provision of technical assistance aimed at improving the ability of the Ministry of the Interior's anti-narcotics forces to apprehend narcotics and other contraband transiting through Kazakhstan and to improve the collection and reporting of crime statistics with an emphasis on those statistics and regions germane to the evaluation of GOK progress in the fight against narcotics trafficking.

11. ACCOMPLISHMENTS: Kazakhstan continues to comply with UN conventions on combating illicit narcotics cultivation and production within its borders. The Committee on

Combating Narcotics, whose sole responsibility is fighting narcotics, is in the final stages of adopting a "Master Plan for the Control of Illicit Drugs and Organized Crime." The Committee works closely with UNODC.

¶12. Accurate crime statistics in Central Asia are sparse, but they are necessary to address narcotics trafficking regionally. The Central Asia Regional Information Coordination Center (CARICC) is a \$6.5 million, four-year, UNODC project. The Center's main objective is to develop and promote regional cooperation in counter-narcotics efforts between Azerbaijan, Kazakhstan, Kyrgyzstan, Russia, Tajikistan, Turkmenistan, and Uzbekistan. The Center will house a shared database of regional intelligence and will produce operational intelligence and strategic assessments concerning narcotics trafficking and related crimes. The CARICC project team and associated technical experts meet monthly in Tashkent, and GOK officials have been active participants. While the location of the center is still undetermined, the GOK has made an official offer to house the Center in Almaty.

¶13. **LAW ENFORCEMENT EFFORTS:** The GOK continues to actively combat narcotics. The majority of narcotics seizures have been undertaken by the Committee on Combating and Controlling Narcotics (para. 5), which actively employs undercover tactics to eliminate major narcotics channels. More than 19 tons of various narcotics, including 130 kilograms of heroin, were seized in the first nine months of ¶2005.

¶14. Since the beginning of this year, more than 15 undercover operations were led by the Committee. Seven major organized criminal groups and four smuggling rings with ties to other organized crime groups in the Southern-Kazakhstan region, the Eastern-Kazakhstan region, and the city of Almaty were apprehended and charged with illicit narcotics activities. More than 64 kilograms of heroin was seized from one of these groups in April 2005. After a six-month covert operation, Committee officers seized a substantial load of heroin, its largest seizure of 2005, hidden in a truck transporting tomatoes. In August 2005, the Committee also seized four loads of marijuana, each weighing more than a ton.

¶15. The annual project "Operation Poppy," which combines intelligence collection, interdiction of smugglers, eradication of cultivation, and demand reduction was conducted from May 20 until October 20, 2005. More than 1,800 officers from the Ministry of the Interior, 141 officers from Customs, and 99 officers from the Committee for National Security combined their efforts in undertaking the operation. As a result, 3,803 individuals, including 88 CIS citizens from outside Kazakhstan, were detained for the production, processing, and trafficking of narcotics. "Operation Poppy" also concentrated on the control and seizure of psychotropic substances and precursors. Overall, this operation led to 83 criminal convictions related to the abuse of psychotropic and controlled substances, which represents almost a 25% increase over 2004. In addition to these arrests, more than 15,271 square meters of illicit poppy and marijuana were eradicated, and 4,607 other drug related arrests were made, which is more than a 100% increase over last year (2,134 cases in 2004).

¶16. In an April 2, 2005, interview with the Kazakhstanskaya Pravda newspaper, the Head of the KNB stated that there are no opium-producing laboratories operating on the territory of Kazakhstan. He also noted that southern Kazakhstan has become a new hub for narcotics trafficking and one of the most critical regions in the country's anti-narcotics efforts. In March 2005, after two years of cooperation with Tajik and Russian colleagues, the KNB liquidated an international narcotics trafficking ring based in the southern Kazakhstan city of Shymkent. As a result, 268 kilograms of raw opium and 66 kilograms of heroin were seized. The KNB Head added that the group had utilized a warehouse in Shymkent to store heroin entering Kazakhstan from Uzbekistan and Kyrgyzstan. After being re-packaged in the warehouse, the heroin was transported in hidden car compartments to Russia. In Shymkent alone, 238 kilograms of opium and 36 kilograms of heroin were seized. Furthermore, the KNB raided several auto shops in Shymkent that had begun specializing in the construction of hidden compartments for vehicles. During the first three months of 2005, law enforcement officials in southern Kazakhstan seized 238 kilograms of opium, and 37 kilograms of heroin. During the same time period in 2004, officials in the region only apprehended 31 kilograms of opium and 45 kilograms of heroin. Likewise, the number of narcotics addicts in the southern region increased by 100% in the last year. Most of these drug addicts are young, with the average age of addicts being 14-15 years old. The youngest drug addict presently going through a rehabilitation program in the region is eight years old.

17. Law enforcement circles in Kazakhstan are also seriously concerned about the expansion of synthetic drugs. In 2005, the KNB seized more than 36,000 ecstasy pills. While the appearance of amphetamines is increasing, the KNB Head noted that all amphetamines seized in the country were produced outside of Kazakhstan. Despite this increase in non-opiate narcotics, heroin still remains the drug of choice in Kazakhstan. In cooperation with Russia's Committee on Combating Narcotics, KNB operatives detected 94 kilograms of heroin transiting from Tajikistan through Uzbekistan and Kazakhstan to Russia. The heroin was seized in the Russian city of Chelyabinsk by Russian operatives. As a result of this international cooperation, the leader and several members of an international criminal group that had operated in Russia and Central Asia for several years were imprisoned for 17 years. Overall, since the beginning of 2005, KNB eliminated 13 narcotics groups (15 in 2004), seized 214 kilograms of heroin (225 kilograms in 2004), and apprehended 581 kilograms of opium (106 kilograms of seized opium in 2004).

18. CORRUPTION: Kazakhstan was rated 107 on this year's Transparency International Corruption Perception list (Transparency International charts perceived levels of corruption in 146 countries). While it is difficult to determine the extent to which corruption is associated with narcotics trafficking, the significant corruption in Kazakhstan inevitably is a factor hampering the country's war on drugs. Nonetheless, there appears to be an increasing effort to apprehend law enforcement officials involved in corruption. According to Vice Minister Vyborov, corruption charges were brought against 15 individuals from the Ministry of the Interior for illegal actions involving their operations with narcotics. The biggest temptation for law enforcement officials to become involved in narcotics trafficking, according to Vyborov, is the 16 tons of seized narcotics stored in the Committee's storage facility. Police officers are required to destroy all narcotics after their use as court evidence, but it is likely that much of these seized narcotics return to circulation via corrupt law enforcement officials.

19. During the first eight months of 2005, 29 out of 39 state officials accused of corruption were convicted based on evidence provided by KNB. Among the accused are a district mayor, three judges, 23 police officers, and two Financial Police officers. In all cases, the perpetrators were sentenced to jail terms and were immediately terminated from their government positions. One of these cases involved a former police officer from the western region of Kazakhstan who was arrested for selling heroin and sentenced to ten years imprisonment in a maximum-security prison. While these efforts demonstrate that the GOK is at least beginning to address corruption among law enforcement officials combating narcotics, given the money involved in drug trafficking, it is likely that corruption will continue to be an issue of grave concern.

20. The GOK does not encourage or facilitate either the illicit production or distribution of narcotics, psychotropic drugs, and other controlled substances or the laundering of proceeds from illegal drug transactions. There is no evidence to suggest that any senior GOK officials are involved in such activities or that any INL-provided equipment is being misused.

21. AGREEMENTS AND TREATIES: Kazakhstan and the United States signed a Memorandum of Understanding on narcotics control and law enforcement in December 2002, allowing INL to begin implementing its first bilateral programs.

22. Kazakhstan is party to the 1988 UN Drug Convention and has signed the Central Asian counter-narcotics Memorandum of Understanding with UNODC. The Kazakhstan national anti-narcotics law, passed in 1998, specifically gives the provisions of international anti-narcotics agreements precedent over national law (Article 3.2). Kazakhstan, Kyrgyzstan, Tajikistan, and Uzbekistan signed an agreement in September 1999 on cooperation in combating transnational crime, including narcotics trafficking. The five Central Asia countries, Azerbaijan, Georgia, Iran, Pakistan, and Turkey are members of the Economic Coordination Mechanism supported by the UNODC.

23. Kazakhstan is party to the Commonwealth of Independent States' multilateral extradition and mutual legal assistance agreements and has bilateral agreements with several other states. It is also actively negotiating mutual legal assistance and anti-narcotics agreements with the governments of Croatia, Greece, Turkey, Poland, Spain, Thailand and Cuba. The GOK also has numerous cooperative agreements throughout the region governing narcotics trafficking and other narcotics-related issues.

24. CULTIVATION/PRODUCTION: Marijuana grows wild on about 1.2 million hectares of southern Kazakhstan, with the largest single location being in the Chu Valley. It is estimated that approximately 97% of the marijuana sold in

Central Asia originates in Kazakhstan. The production of opium and heroin remains minimal. In the first nine months of 2005, the Committee on Combating Narcotics identified 164 cases of the illicit cultivation of opium poppies and marijuana. On August 16, operatives from the Committee on Combating Narcotics apprehended a 40 year old resident of the Chu Valley who had harvested more than one ton of marijuana for sale. On August 21, another ton of marijuana was seized from a separate Chu Valley resident. These cases were the biggest marijuana seizures this year.

125. According to Vice Minister Vyborov, Kazakhstani botanists are working on cultivating a special sort of cannabis devoid of narcotic effects to replace the marijuana presently growing in the Chu Valley. The scientists hope that within five years, the planting of this non-narcotic cannabis will force the indigenous marijuana out of the Chu Valley.

126. DRUG FLOW/TRANSIT: Kazakhstan continues to be an important transit country, especially for drugs coming out of Afghanistan. The law enforcement officials of Kazakhstan estimate that one-third of Afghanistan's 4,200 tons of heroin will pass through Kazakhstan this year and that 10% of transiting heroin will remain in Kazakhstan.

127. The main routes for narcotics coming into Kazakhstan continue to run through Tajikistan and Kyrgyzstan.

128. DOMESTIC PROGRAMS: Kazakhstan's increasing prosperity has also created a new market for artificial drugs, particularly ecstasy and amphetamines. These drugs are particularly popular among the patrons of the country's 700 night clubs. Nonetheless, the growing popularity of these drugs poses much less threat to Kazakhstan than does the country's ever-expanding heroin problem. Likely due to the large amount of heroin and opium transiting Kazakhstan, opiate addiction continues to increase in the country. During the first nine months of 2005, it was estimated that there were approximately 52,137 drug addicts in Kazakhstan (47,000 in 2004).

129. The GOK has sponsored several drug awareness programs since the beginning of this year. These included anti-drug programs initiated as part of a pilot project on combating narcotics among the underage and teenage population at 18,000 sports clubs, 131 sports schools, 50 clubs, and 627 after-school programs.

IV. U.S.POLICY INITIATIVES AND PROGRAMS

130. Despite its continued problems of drug trafficking and abuse, Kazakhstan has made considerable progress, especially compared to the rest of the region. Given Kazakhstan's great potential as a partner in the fight against narcotics, our overall goal is to develop a long-term cooperative relationship between the police and investigative services of the United States and those of Kazakhstan. This relationship will enhance the professional skills of officers and improve the organization and management of GOK law enforcement services thereby increasing their effectiveness in the fight against illegal narcotics. All of our assistance provided this past year is intended to further this larger long-term goal.

131. To allow for the more efficient inspection of trucks and vehicles, INL provided an inspection hangar at the Ulken counter-narcotics checkpoint this year. The Ulken checkpoint is approximately 400 km northeast of Almaty. The construction was completed in October 2005 and is located on a major highway with a constant flow of trucks and vehicles from Kyrgyzstan, Tajikistan, and Uzbekistan. INL acquired and transferred the equipment needed to search vehicles at the Ulken checkpoint. Ulken will serve as a model for two internal MIA checkpoints in Kyzyltyu and Beineu which INL will equip, and for the remaining five checkpoints which UNODC will construct with INL funds.

132. INL continued to cooperate with the Border Guard Service. As part of a larger project aimed at combating narcotics trafficking in Kazakhstan, INL provided search equipment for the Aul and Zheshkent Border Guard posts on the Russian-Kazakhstani border. During joint discussions of funds and projects for 2006, the Border Guards requested that we change our focus from working on the Russian-Kazakhstani border to working on the Kyrgyz-Kazakhstani border. The Border Guards felt that it made more sense to concentrate on controlling the traffic of incoming narcotics from Kyrgyzstan as opposed to controlling the outflow of narcotics from Kazakhstan to Russia on the long stretch of the Russian-Kazakhstani border.

133. THE ROAD AHEAD: Despite its current problems, Kazakhstan is making serious efforts to end its status as a narcotics transit country. The GOK is working to refine its

laws related to narcotics, to develop its police services and to cooperate with the international community and regional partners. Furthermore, it is better targeting its approach to anti-narcotics work, is trying to curb corrupt law enforcement officials, and is establishing stricter punishments for drug-related crimes. Corruption, failure to devote sufficient resources to training and equipment, and a weak infrastructure remain serious problems, but trends are encouraging.

IV. STATISTICAL TABLES

134. Not available.

VI. CHEMICAL CONTROL

135. Based on currently available data, Kazakhstan is not a producer of chemical precursors used in narcotics production. Most of the precursors available in the country are meant to be used in the oil refining industry. According to the Statistics Committee of the Prosecutor General's Office, during the first nine months of 2005, more than 88 liters of liquid precursors were seized. The Statistics Committee, however, did not release any additional information about this seizure.

ORDWAY